

## **TOURIST ORIENTED DIRECTIONAL SIGNS**



**State of New Hampshire  
Department of Transportation  
Bureau of Traffic  
(603) 271-2291**

Effective September , 2003

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September 11, 2003

DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE COMMISSIONER

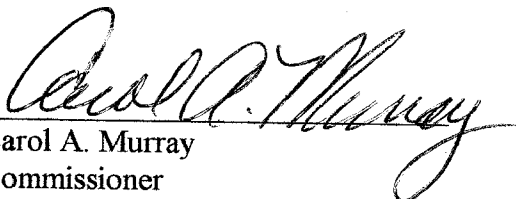
**DECLARATORY RULING NO. 2003-01**  
**TOURIST ORIENTED DIRECTIONAL SIGNS (TODS)**

I, Carol A. Murray, commissioner of the department of transportation, do hereby issue this document as a declaratory ruling in order to provide guidance as to the applicability and implementation of this policy regarding tourist oriented directional signs. Following the adoption of the Administrative Procedures Act, RSA 541-A, the department adopted administrative rules, Part Tra 602, which have been in force since April 30, 1996 and are scheduled to expire on April 30, 2004. Adoption of these rules was made optional pursuant to RSA 236:72-a and 236:84 I (a). By subsequent legislative enactment, the authority of the department to enact rules for administration of RSA 236:1 was exempted from the requirements of the administrative procedures act in accordance with RSA 541-A: 21 I (b).

In 2000, the Federal Highway Administration adopted the "Manual on Uniform Traffic Control Devices (MUTCD), Millennium Edition", in accordance with 23 U.S.C. 101 (a), 104, 109(d), 114 (a), 217, 315, and 402(a); 23 CFR 1.32 and 49 CFR 1.48 (b), as amended. The manual is found at 23 CFR Part 655 Subpart F Sec. 655.601 (a), and is available at the FHWA website at <http://mutcd.fhwa.dot.gov>. The electronic version posted on the MUTCD website is the official FHWA publication. A companion document entitled, "Standard Highway Signs Book" was also adopted. In the MUTCD, Tourist Oriented Directional Signs (TODS) are official traffic control devices. The MUTCD has been adopted by the New Hampshire Department of Transportation as and for the means to regulate official traffic control devices in New Hampshire pursuant to RSA 236:1.

Accordingly, in order to prevent the possibility of conflict between a required and controlling federal regulation in the MUTCD and an optional state based rule, I have adopted the attached provisions pursuant to RSA 236:1 for use by the staff of the department in the processing and issuance of tourist oriented directional sign permits and other decisions regarding such signs on the state highways until further modified by subsequent action of the commissioner of the department of transportation.

Dated: September 22, 2003

  
Carol A. Murray  
Commissioner

## POLICY FOR THE PERMITTING OF TOURIST ORIENTED DIRECTIONAL SIGNS

### 1. Purpose.

(a) This policy describes the process used to evaluate requests for tourist oriented directional signs (TODS) for business, service and activity facilities.

(b) This policy implements state law found at RSA 236:72-a, and a federal regulation entitled, the “Manual on Uniform Traffic Control Devices (MUTCD), Millennium Edition”, adopted by the Federal Highway Administration in accordance with 23 U.S.C. 101 (a), 104, 109(d), 114 (a), 217, 315, and 402(a); 23 CFR 1.32 and 49 CFR 1.48 (b), as amended. The manual is found at 23 CFR Part 655 Subpart F Sec. 655.601 (a), and is available at the FHWA website at <http://mutcd.fhwa.dot.gov>. The electronic version posted on the MUTCD website is the official FHWA publication. A companion document entitled, “Standard Highway Signs Book” shall also be used.

(c) Pursuant to state laws found at RSA 236:1, RSA 236:73 IV, RSA 265:22, RSA 41:11, and RSA 47:17, the “Manual on Uniform Traffic Control Devices, Millennium Edition”, has been adopted by the Commissioner of the Department to establish the standards for traffic control and use of the right of way in New Hampshire.

### 2. Scope.

(a) Tourist oriented directional signs may be erected upon state highways under the jurisdiction of the Department other than interstate highways, the divided portions of the NH turnpike system, or divided limited access highways.

(b) Nothing in this policy prevents a municipality from adopting a tourist oriented directional sign program or ordinance that complies with the “MUTCD, Millennium Edition” as amended and cited above, to issue permits for such signs along municipal controlled roadways.

### 3. Definitions.

If a word or phrase used in this policy is defined in RSA 236:70, such definition is incorporated into this policy without change.

(a) “Bureau” means the Bureau of Traffic within the New Hampshire Department of Transportation unless otherwise indicated.

(b) “Closed” means that the qualifying activity shown in the text of the sign is not open for use by the road user, regardless of the fact that other activities at the business are still in operation, including but not limited to reviews for future sales or usage, maintenance activities, acceptance of deliveries or services available by chance or appointment, unless otherwise specified in this policy.

(c) “Commissioner” means the commissioner of the New Hampshire Department of Transportation.

(d) “Department” means the New Hampshire Department of Transportation unless otherwise indicated.

(e) “Motorist-oriented business” means any one of those businesses determined as eligible for tourist oriented directional signs under these rules.

(f) “Specifications” means signing standards as set forth in sections 16, 17, 18, 19, 20, 21 and Appendix A.

(g) “Tourist oriented directional sign” (TODS) means an official tourist oriented directional sign that is manufactured and installed to provide directional information to privately-owned motorist-oriented New Hampshire businesses.

(h) “Visible” means capable of being seen (whether or not legible) without visual aid by a person of natural acuity.

#### 4. Variation from National Standards.

The “MUTCD, Millennium Edition” specifies the national standards for tourist oriented directional signs. No provision of any municipal ordinance that seeks to change or vary the specifications for such signs will be recognized or enforced by the Bureau.

#### 5. The State Permit System.

(a) No tourist oriented directional sign (TODS) may be erected upon a qualifying state highway unless a permit for the sign has been granted by the Department.

(b) The initial permit process begins with the submission of a completed written request for signage to the Bureau of Traffic, Outdoor Advertising section, upon a form provided for that purpose, together with the appropriate fee. The form and fee schedule are described in section 6 of this policy.

(c) The request for signage shall be reviewed in accordance with section 7 of this policy.

(d) If the request for signage meets all of the criteria in this policy, it shall be granted, and a permit issued to erect the signage.

(e) If the application fails to meet all of the criteria in this policy, it shall be denied, and the applicant may either alter the request to meet the criteria in question, or request a hearing in accordance with section 25 of this policy.

(f) Renewal of the permit following the initial permit period may be obtained using the procedure found in section 22 of this policy.

6. Request for Signage.

(a) An applicant requesting an initial permit for a tourist oriented directional sign shall provide the following information on a form furnished by the bureau of traffic:

- (1) The name, address, and telephone number, or other means of contacting the applicant during regular business hours;
- (2) The name or route number of the state highway where the proposed sign is to be located;
- (3) The name of the municipality where the proposed sign is to be located;
- (4) The business or activity classification (found in sections 9 to 14 of this policy) under which the applicant believes his or her activity qualifies for a tourist oriented directional sign;
- (5) The hours of the day and days of the week that the applicant provides qualifying services to the public;
- (6) Whether there are restrictions placed upon the facility which would limit its use by a member of the traveling public;
- (7) The text proposed for the sign;
- (8) A sketch showing the proposed location of the sign indicating distances from easily found reference markers, such as intersecting highways or roads, highway mileage markers, or utility poles. Please provide information from each marker, such as the road number, mile marker number, or utility pole identification numbers;
- (9) Whether the applicant owns, leases, or maintains an outdoor advertising device in the state, either under its own name, or under the name of any entity in which the applicant holds a controlling interest;
- (10) The signature of the applicant, including the title and authority of the person signing if applying for a partnership, trust, corporation, or limited liability company;
- (11) The date of the signature; and

(12) The fee of \$10.00 as required by RSA 236:72-a.

7. Initial Permit.

(a) The Bureau of Traffic shall approve a request for signage and issue a permit to erect the same unless an office review, comment from a maintenance district, or a field review of the proposed location discloses an issue sufficient to deny the request under sections 8-16 of this policy.

(b) The Bureau of Traffic shall conduct an office review of the request for signage and shall deny the application if:

(1) The applicant has failed to provide all required information on the request form; or

(2) At the time of application, the applicant maintains an outdoor advertising device for any business entity in violation of the outdoor advertising law, RSA 236: 69-89; or the Highway Beautification Act of 1965 (23 U.S.C. Section 131, and its regulations); or

(3) There are restrictions upon use of the facility that significantly limit the ability of a road user to use the facility or its services, including but not limited to the following:

a. The facility is open to the public for less than 3 consecutive months during its business season;

b. The facility requires minimum periods of use exceeding those that are reasonable and appropriate to the category of services;

c. Membership in an organization is required as a precondition to use;

d. Services are denied unless they have been reserved in advance; or

e. Any other restriction or requirement that results in the consistent denial of services to the road user not residing in the area of the facility.

(c) The Bureau of Traffic shall conduct a field review of the proposed location, and shall deny the application if the proposed sign or its location:

(1) Limits a road user's ability to see an existing official traffic control device far enough in advance to act upon the message; or

- (2) Would result in unreasonable confusion for the road user due to the presence of multiple official traffic control devices, private signs, driveways, or turning movements, even though other tourist oriented directional signs are installed in the vicinity; or
  - (3) Contains directional or other information that conflicts with an existing traffic control device; or
  - (4) Would unreasonably interfere with highway maintenance efforts; or
  - (5) Would require the Department as landowner to apply for a permit from any other governmental agency, other than "Dig Safe, Inc.", prior to placing the sign or disturbing the soil in that location; or
  - (6) Is within a three mile distance in the same direction of travel along the same highway from the point where the applicant maintains any of the following signage for the same business entity:
    - a. An ability to legally maintain on premise advertising device pursuant to RSA 236:69-89; or
    - b. An outdoor advertising device owned by others and rented or leased by the applicant; or
    - c. Another tourist oriented directional sign; or
  - (7) Is on a highway already marked with any of the following official signs, unless the local governing board requests the department, in writing, to remove the official signage:
    - a. Guide signs erected pursuant to MUTCD Chapter 2-D indicating a "Business", "Tourist", "Resort" or "Downtown" area; or
    - b. Recreational and cultural interest symbol sign or destination guide sign erected pursuant to MUTCD Chapter 2-H directing motorists to the applicant's place of business; or
  - (8) Is intended to direct a motorist from a lower class highway to a higher class highway, such as from a federal aid secondary highway to a federal aid primary highway.
- (d) All permits issued shall be subject to the following standard conditions:



- (1) The permit shall expire on the April 1 next following the date of issuance;
- (2) A permit for a tourist oriented directional sign shall not be transferable. In the event that a permitted business or entity is transferred to a new owner, a new original initial application shall be submitted for review and approval; and
- (3) All permittees shall comply with the requirements of the department set forth in this policy for manufacture, installation, and maintenance of the sign and its support structure.

#### 8. General Eligibility Criteria

- (a) Prior to approval of a request for signage, an applicant in the categories of food service, lodging or function facility must show that it possesses any license required by state law or municipal ordinance to provide the service.
- (b) Unless otherwise noted in the specific criteria for any category of service, the applicant's facility must be open to the public for a minimum of 5 hours per day, 5 days per week, shown by hours that are established and posted at the facility.

#### 9. Food or Agricultural Facilities.

- (a) Restaurants shall provide:

- (1) Indoor seating for at least 20 persons;
- (2) If indoor seating is not provided, then be primarily engaged in the provision of made to order food items served directly to consumers at the business location, with on site parking for at least 12 automobiles;
- (3) Rest rooms for use by patrons; and
- (4) Continuous service hours covering a minimum of 2 meals in a day, or include their actual hours of operation in the sign text.

- (b) Ice cream facilities shall:

- (1) Be primarily engaged in the activity of selling "made-to-order" ice cream dessert products to consumers at the business location;
- (2) Not engage in retail sale of items unrelated to the display, manufacture or sale of ice cream dessert products except food prepared for consumption on the premises, or agricultural products; and

(3) Provide on-site parking for a minimum of 5 automobiles.

(c) Agricultural facilities shall:

(1) Be primarily engaged in the activity of :

- a. Education or illustration of the history or development of specialized agricultural products, processes, or husbandry; or
- b. The production and sale of freshly harvested grower to consumer or pick-your-own produce; or
- c. The cultivation and sale of seasonal agricultural products including potted flora; or
- d. The on-site production and sale of dairy products; or
- e. The production and sale of other products intended for human use and consumption other than those produced off of the site by other agricultural businesses; and

(2) Not serve as an accessory or subsidiary aspect of any other retail business conducted on the same premises, except a facility that may otherwise qualify for a sign under this policy; and

(3) Offer an inventory of agricultural products for sale in which a minimum of 50 percent of the items have been grown or produced by the applicant entity and in which no more than 25 percent of the items have been grown outside of the New England States.

#### 10. Lodging Facilities.

(a) Hotels, motels, inns or cabin facilities shall:

- (1) Provide a minimum of 10 separate sleeping rooms offered individually for rent to the public;
- (2) Provide lodging services at least 5 nights per week during their operating seasons;
- (3) Provide bathing facilities for patrons;
- (4) Provide one or more telephones available for use by patrons; and

(5) Provide on-site parking, or valet parking services, for all patrons.

(b) Bed and breakfast facilities shall:

(1) Provide a minimum of 3 separate sleeping rooms offered individually for rent to the public;

(2) Offer one or more meals to guests in a dining area separate from the sleeping rooms;

(3) Be principally engaged in the business activity of providing overnight lodging;

(4) Provide lodging services at least 5 nights per week, during their operating season;

(5) Provide bathing facilities for patrons;

(6) Provide one or more telephones for use by patrons; and

(7) Provide on-site parking or valet parking services for patrons.

#### 11. General Traveler Service Facilities

(a) Automotive fueling stations shall:

(1) Sell or provide:

a. At least two grades of automotive fuel;

b. Automotive oil; and

c. Water

(2) Provide sanitary rest rooms open for public use;

(3) Be open for business continuously from at least 8:00 am to 6:00 pm at least 6 days per week;

(4) Provide one or more telephones available for public use; and

(5) If the fueling station is also a convenience store, the arrangement of information on the sign panel shall be limited to a Type "A" or Type "C" depicting symbol number "3" or "4", as shown in Appendix A.

(b) Animal hospitals shall:

- (1) Provide emergency and unscheduled veterinary care for domestic pets and other animals; and
- (2) Provide access to a licensed veterinarian for not less than 8 hours per day, 5 days per week.

(c) Facilities with automated teller machines (ATM) shall:

- (1) Provide access to the machine to the public 24 hours per day, 7 days per week either outdoors or after entering a facility controlled by a locking mechanism operated by an ATM card;
- (2) Erect on-premise signage visible from the traveled way, and adjacent to the establishment to direct the road user to the location of the machine; and
- (3) Limit the text on a tourist oriented directional sign to:
  - a. “Automated Teller Machine” or “ATM”; and
  - b. The name or names of the ATM financial network or networks accessed by the machine.

(d) Churches and places of worship shall:

- (1) Conduct one or more services of worship in a permanent structure at least one day per week in accordance with an established schedule that is posted at the facility, which schedule may be seasonal;
- (2) Be a location of worship that has been exempted from real property tax pursuant to RSA 72:23 by the municipality in which it is located; and
- (3) Utilize text on the tourist oriented directional sign to identify the location as a place of worship; and
- (4) Not serve as an accessory or subsidiary aspect of any other activity conducted on the same premises, except a facility that may otherwise qualify for a sign under this policy.

(e) Shrines shall be a location of unique historical or sacred significance, and recognized as such by the municipality in which it is located.

12. Cultural Activity Facilities.

(a) Facilities for the display and sale of inedible, non-food based handicrafts and art objects shall:

- (1) Contain an inventory of items for sale in which at least 50 per cent of the items displayed and sold on site are produced as individual and unique items by individual crafters, artisans or artists, as opposed to mass produced copies of items; and
- (2) If items accessory to the art or handicraft displayed, such as educational materials, tools or accessories directly related to the craft, such accessory items shall not constitute more than 25 per cent of the total inventory of items for sale.

(b) Antique shops shall:

- (1) Be contained within a permanent structure devoted to the display and sale of items that are generally recognized to be of historical interest or significance;
- (2) Not be a part of or an accessory function to any other retail business conducted on the same premises except handicraft and art facilities or agricultural facilities as defined in this policy;
- (3) Be open a minimum of 5 hours per day, 4 days per week; and
- (4) Contain an inventory of items for sale in which at least 80 per cent of the items displayed or sold have not been produced for sale within the past year.

(c) Stage theaters shall:

- (1) Be an indoor or outdoor facility whose primary business activity is providing a program of theater, dance, or music arts to the public; and
- (2) Offer a program on a schedule that is posted at the facility and advertised to the public; with an opportunity for the public to purchase admission.

(d) Museums shall:

- (1) Display photos, artifacts, or other items of historical, community, literary, artistic, or operational significance, together with educational, interpretive or explanatory pamphlets, signs panels or guides; and

(2) Maintain the display in a room or area separate from any other activity conducted on the premises, including accessory retail sales of items related to the museum's display.

(e) Scientific/Geological sites shall:

(1) Display a unique or unusual natural, geological or scientific phenomena or site, together with educational, interpretive or explanatory pamphlets, sign panels, or guides; and

(2) Offer the display in a room or area separate from any other activity conducted on the premises, including accessory retail sales of items related to the site's display.

### 13. Sporting Activity Facilities.

(a) Camping facilities shall:

(1) Provide a minimum of 10 individual marked campsites available on a first come, first served basis to road users.

(2) Provide sanitary rest room and bathing facilities to patrons; and

(3) Provide a supply of drinking water to patrons.

(4) Parking lots, service areas, holding areas, and campsites offered for seasonal rental can not be considered as campsites for this criteria.

(b) Facilities offering fish and game sporting licenses shall:

(1) Limit the text of the tourist oriented directional sign to "Fish and Game Sporting Licenses";

(2) Erect on-premise signage visible from the traveled way and adjacent to the establishment indicating the availability of such licenses; and

(3) Offer resident and non-resident fish and game sporting licenses for sale to the general public continuously during at least one complete season for which a license is required.

(c) Marinas shall:

- (1) Provide a means on the site for road users to launch into public waters or retrieve from public waters a watercraft or vessel carried on a trailer attached to a motor vehicle, for which a fee may be charged; and
- (2) Be a facility that is open to the public in accordance with an established schedule that is posted on-site, or provide in the text of the sign their actual days of operation.

(d) Riding stables shall:

- (1) Provide horses to members of the public for touring, general riding, or instruction in equestrian events. The use of the horses may be granted with or without guides or instructors; and
- (2) Be a facility that is open to the public in accordance with an established schedule that is posted on-site, or provide in the text of the sign their actual days of operation;

(e) Youth camps shall:

- (1) Provide a program where youth are brought to the site as temporary daytime or overnight residents for the purpose of recreation or athletic instruction; and
- (2) Be open to the general public for inspection in accordance with an established schedule that is posted on-site.
- (3) The program may require the youth to reserve a space or preregister for participation in the actual program.

(f) Public sports facilities shall:

- (1) Be primarily open to public use for the pursuit of individual recreational sporting activities, such as:
  - a. Traditional 9 or 18 hole golf facilities;
  - b. Combined Traditional Golf/Nordic Facilities, provided that such a facility must create and use the interchangeable symbols for the activity in season on the tourist oriented directional sign; and
  - c. Tennis, racquetball, or handball centers; or

(2) Provide a facility open to public attendance on an established posted schedule for team or individual sporting activities, such as sports arenas, fields, or stadiums; or

(3) Provide for other public outdoor sporting or recreational activities such as but not limited to hiking, shooting, fishing, swimming, kayaking, canoeing and picnicking.

(g) Indoor fitness and exercise facilities shall:

(1) Be primarily engaged in the provision of personal physical training services or the use of physical training equipment to patrons;

(2) Have a person on site during all hours of operation capable of assisting members of the public in gaining access to the facility;

(3) Provide shower and locker room areas for patrons;

(4) Not restrict patrons to a minimum or maximum number of visits as part of a sales promotion or membership drive.

#### 14. Entertainment Activity Facilities.

(a) Function facilities/conference centers shall:

(1) Be primarily engaged in the business of providing a facility to host business, training, or social functions;

(2) Provide a permanent structure with a minimum seating capacity of 150 persons, banquet style, or 250 persons, theater style;

(3) Not require membership in any organization as a precondition to use of the facility;

(4) Not be a part of or an accessory use of an activity or facility that is not eligible to receive a permit under this policy;

(5) Provide on-site parking for patrons;

(6) Provide rest rooms for patron use; and

(7) Be identified as a function facility or conference center in the text of the tourist oriented directional sign.



(b) Amusement parks shall provide one or more permanent structures or equipment devoted to recreational amusement rides;

(c) Zoos shall provide one or more permanent structures devoted to the exhibition or display of live animals or sea creatures.

(d) Arcade facilities shall be primarily devoted to providing legally permitted mechanical or electronic gaming machine opportunities to the public, provided that the facility shall provide on site rest room facilities to patrons, and the gaming machines shall not be an accessory to an activity or facility that is not otherwise eligible to receive a permit under this policy.

(e) Scenic / Recreational train, boat, plane or glider facilities shall operate a scenic recreational train, boat, plane, or glider attraction and may include accessory retail sales of items related to the attraction.

(f) Race track facilities shall:

(1) Provide facilities, including on-site parking, for viewing of motor vehicle or animal races that serve a minimum of 4,000 patrons during a full season of operation; and

(2) Be licensed to provide racing facilities if required by state law or municipal ordinance to be so licensed.

(g) Golf driving range facilities shall:

(1) Provide a minimum of 6 tee areas from which golf balls may be struck; and

(2) Provide patrons with the necessary golf equipment for the activity.

(h) Miniature golf facilities shall provide patrons with the necessary golf equipment for the activity;

(i) Candle Pin and Ten Pin bowling facilities shall make available for patrons use all necessary equipment for the activity;

(j) Civic Auditoriums shall:

(1) Conduct a minimum of 12 scheduled non-gaming public events a year;  
or

(2) Conduct a minimum of 6 scheduled non-gaming public events during its operating season if the facility is seasonal.

15. Seasonal Businesses.

(a) Businesses closed for a period of more than fifteen (15) consecutive days per year shall be considered seasonal and are required to cover their tourist oriented directional signs with a blank cover panel manufactured in accordance with this policy.

(b) The cover panel shall be fabricated and provided as described in Appendix A.

(1) Installation of the sign panel shall not be allowed until the cover panel is also approved for installation.

(c) All costs for materials and labor required to install, remove and store cover panels are the responsibility of the applicant.

(d) Each permit holder shall notify the Bureau of Traffic at least fourteen days in advance of the dates upon which the sign panel is to be covered or uncovered, so that staff of the Bureau may verify the change in the field, or take such steps as are required to assure the safety of the road user during the installation.

16. Location and Spacing

(a) Tourist oriented directional signs shall be located on the right hand side of the highway as set out below.

(1) The maximum distance from the first intersection served by a tourist oriented directional sign to the business establishment, measured along the traveled ways of the approach shall be as listed.

<b>FACILITY</b>	<b>QUALIFYING SECTION</b>	<b>MAXIMUM DISTANCE</b>
Restaurants	9 (a)	5 miles
Ice Cream Facilities	9 (b)	5 miles
Agricultural Facilities	9 (c)	10 miles
Hotels, Motels, Inns or Cabins	10 (a)	5 miles
Bed & Breakfast Facility	10 (b)	5 miles
Automotive Fueling Stations	11 (a)	5 miles
Animal Hospitals	11 (b)	5 miles
ATM Facilities	11 (c)	5 miles
Churches and places of worship	11 (d)	5 miles
Shrines	11 (e)	10 miles
Handicraft Facilities	12 (a)	5 miles
Antique Shops	12 (b)	5 miles
Stage Theaters	12 (c)	10 miles
Museums	12 (d)	10 miles

Scientific & Geological Sites	12 (e)	10 miles
Camping Facilities	13 (a)	15 miles
Facilities offering Fish & Game Licenses	13 (b)	10 miles
Marinas	13 (c)	10 miles
Riding Stables	13 (d)	10 miles
Youth Camps	13 (e)	10 miles
Public Sports Facilities	13 (f)	10 miles
Indoor Fitness and Exercise Facilities	13 (g)	5 miles
Function Facilities	14 (a)	10 miles
Amusement Parks	14 (b)	10 miles
Zoos	14 (c)	10 miles
Arcade Facilities	14 (d)	5 miles
Scenic / Recreational Ride	14 (e)	10 miles
Race Track Facilities	14 (f)	10 miles
Golf Driving Range	14 (g)	5 miles
Miniature Golf Facilities	14 (h)	5 miles
Candle Pin and Ten Pin Bowling	14 (i)	5 miles
Civic Auditoriums	14 (j)	10 miles

(b) Tourist oriented directional signs shall be located not less than 300 feet nor more than ½ mile in advance of the intersected highway along each approach direction on the principal highway except:

(1) As necessary to integrate tourist oriented directional signs with other official directional and regulatory signs; or

(2) Type 3 tourist oriented directional signs may be located less than 300 feet from and on either side of the intersected highway only when traffic density, roadway alignment, or development conditions are such that it would be detrimental to traffic safety to adhere to the 300 foot minimum distance requirement.

(c) At intersections where the number of tourist oriented directional signs will require more than one installation, the minimum spacing between sign installations shall be 300 feet, except this minimum may vary as provided in (b) above. In such instances, the first installation established for tourist oriented directional signs must contain the maximum number of 3 panels before a second installation is established.

(d) In no case shall there be more than 3 tourist oriented directional sign installations in advance of a single intersection. The number of tourist oriented directional sign installations allowed shall further be reduced to 2 installations, 1 installation, or none when necessary to prevent distraction of motorists. "Distraction of motorists" means that an increase in the number of signs in advance of an intersection

including tourist oriented, necessary official directional and regulatory signage poses potential confusion to the motorist.

(e) Supplemental signing shall be required to insure that the business can be found from the intersection for which a tourist oriented directional sign has been installed. This requirement for supplemental signing may be met in whole or in part by additional tourist oriented directional signs instead of legal off-premise signs.

(f) Tourist oriented directional signs shall not be allowed in advance of the business on the same highway.

(1) Tourist Oriental signs are directional in nature, and shall not be granted for the purpose of increasing visibility of the establishment or as an attempt to warn motorist of traffic stopping or turning into the business.

(2) Provided that, where the business can not have a legal, on-premise sign that would be visible to motorists in advance of the establishment's nearest point of highway access due to configuration of the right-of-way, forestation, or terrain features, the department shall authorize an exception. Such instances shall be reviewed on a case-by-case basis.

#### 17. Multiple Panel Installation and Order of Position

(a) A tourist oriented directional sign shall contain no more than three sign panels, each of which must be of the same dimensions.

(b) If an applicant seeks to add a panel to a previously erected sign, such applicant shall bear the costs required to:

1. Furnish and install longer, higher, or additional support posts; and
2. Replace any previously installed panel or panels that are smaller than the proposed panel, so that the entire finished installation will be of a uniform dimension.

(c) The order of position for tourist oriented directional signs in a single installation shall be:

1. Top, straight ahead;
2. Middle, left turn;
3. Bottom, right turn.

(d) Subject to (c) above, if seasonal business panels are included on the sign:

1. A single seasonal business panel shall occupy the bottom position;
2. Among multiple seasonal business panels:
  - a. The business with the longer period of inactivity shall occupy the bottom position, and
  - b. If all seasonal businesses are of equal periods of inactivity, the most recently permitted business shall occupy the bottom position.

18. Sign Panel Design.

(a) Upon approval of a request for signage, the applicant shall work with the Bureau of Traffic to design, fabricate, and install a tourist oriented directional sign panel that:

1. Accurately guides a road user to the applicant's service;
2. Is fabricated to the performance standards set in the MUTCD; and
3. Is installed in a location and in a manner that does not infringe upon the private property rights of citizens, create a hazard to the safety of road users, or an unreasonable burden on the maintenance of the highway.

(b) The message of the sign may contain any or all of the following elements, as mutually determined by the applicant and the Bureau of Traffic:

- (1) A standard service symbol, in accordance with Appendix A;
- (2) A textual message in a maximum 2 lines of text; and
- (3) Direction and distance information.

(c) The language, arrangement and spacing of the textual message shall be limited as follows:

- (1) The text must be submitted to the Bureau of Traffic for review prior to fabrication of the sign panel;
- (2) Product names, slogans, telephone or fax numbers, street addresses, electronic mail or Internet addresses, Ham Radio call numbers, or messages that resemble any official traffic control device shall not be permitted;

(3) If necessary to distinguish between two businesses with the same or a similar name, a descriptive term may be added, as determined on a case-by-case basis;

(4) Community or street names that are an established and integral part of the participant's business or company name are acceptable;

(5) Product names that are an established and integral part of the participant's business or company name are usually acceptable; and

(6) Recognition of alcohol or tobacco products is not permitted under any circumstance.

(d) The distance and directional element shall be arranged, sized, and spaced as directed by the Bureau of Traffic in order to maintain compliance with the MUTCD and to assure that the road user will not be confused by the directions given.

#### 19. Sign Panel Materials and Fabrication Standards.

(a) The specifications for sign panel materials and quality of fabrication are set forth in Appendix A.

(b) All costs for materials and initial fabrication of the sign panel are the responsibility of the applicant.

(c) In the event a sign panel must be replaced due to theft, damage, destruction, or wear and tear, all costs for the replacement panel are the responsibility of the applicant.

#### 20. Sign Post and Fastener Material Requirements:

(a) The specifications for sign post and hardware materials are set forth in Appendix A.

(b) All costs for sign post materials and fasteners are the responsibility of the applicant.

(c) In the event sign posts must be replaced due to theft, damage, destruction, or wear and tear, all costs for the replacement posts are the responsibility of the applicant.

#### 21. Sign Installation Requirements.

(a) The specifications for installation of sign posts and sign panels are set forth in Appendix A.

(b) All costs for sign panel and post installation are the responsibility of the applicant. In the event a sign panel or posts must be replaced due to theft, damage, destruction, or wear and tear, all costs for the installation of the replacement items are the responsibility of the applicant.

(c) Sign posts shall not be set until the sign location has been declared free of conflicting underground utilities by DigSafe, Inc.

(d) Tourist oriented directional signs may be maintained within the state owned highway right-of-way, provided that all of the other requirements of this policy have been met. Where such signs would encroach on private property due to inadequate width of the state owned right-of-way, they may be erected and maintained on such private property only after written consent from the landowner has been received by the Bureau of traffic.

## 22. Renewal Permit.

(a) Renewal of a permit for a tourist oriented directional sign shall be requested annually on a form furnished by the bureau, providing the following information:

- (1) The name, address, and telephone number of the applicant;
- (2) The name or route number of the state highway where the sign is located;
- (3) A statement that the activity continues to be eligible under the category approved in the original application;
- (4) The date of the application;
- (5) The signature of the applicant and capacity if signing on behalf of a partnership, trust, corporation, or limited liability company; and
- (6) The fee of \$10.00 required by RSA 236:72-a.

(b) The Bureau of Traffic shall conduct such office review and/or field review of the renewal application as may be required, and shall approve the application unless such review reveals that the applicant is not eligible under this policy for a permit to maintain the tourist oriented directional sign.

## 23. Revocation of a Permit and Removal.

(a) A permit to maintain a tourist oriented directional sign may be revoked and the sign panel removed for any of the following reasons:

- (1) Any change in the business or its operations that causes the business to be in nonconformity with this policy or the controlling statutes;
- (2) Failure of the business to replace, repair or refurbish a tourist oriented directional sign within 60 days following notice by the department;
- (3) Any changed condition necessitated by construction, reconstruction, maintenance or reclassification of the highway;
- (4) The sign has been in nonconformity with the specifications contained herein for more than one year; or
- (5) Failure to renew the permit required by RSA 236:72-a.

#### 24. Nonconformity and Removal.

(a) Tourist oriented directional signs legally existing upon the effective date of any revision to this policy that would cause such signs to become nonconforming shall not be required to be removed for a period of one year.

(b) Since tourist oriented directional signs are, by statutory definition, official signs and not advertising devices, the provisions of RSA 236:77 shall not apply.

(c) The department shall remove and transport for storage any tourist oriented directional sign that remains in place more than 30 days after an order by the department to remove the sign has become final. Reasonable care shall be exercised during such removals. However, the department shall not be responsible for damage to any device occasioned by removal, transport or storage, nor will the department be responsible for storage over 30 days.

#### 25. Hearings.

(a) An applicant who disagrees with the decision of the Bureau of Traffic to deny, not renew or revoke a permit to install and maintain a tourist oriented directional sign may appeal such decision to the commissioner within 30 days after notice of the decision is provided to the applicant.

(b) Unless an appeal is filed, the denial, revocation or nonrenewal of a permit for a tourist oriented directional sign shall become final 30 days after notice of the decision is provided to the applicant.

(c) The procedure used to conduct hearings on denials, revocations or nonrenewals shall comply with RSA 541-A and Tra 200, rules of practice and procedure.



(d) In the event the applicant disagrees with the decision of the commissioner following hearing, a subsequent appeal may be taken to the Transportation Appeals Board pursuant to the board's rules of practice and procedure, Tra-Ap 200 and the controlling statute, RSA 21-L:15.

Appendix A:

TOURIST ORIENTED DIRECTIONAL SIGNS  
DESIGN & INSTALLATION SPECIFICATIONS

1.1 Except as modified below, the specifications for tourist oriented directional signs shall conform with the pertinent requirements of signs as set forth in the “Manual on Uniform Traffic Control Devices (MUTCD), Millennium Edition adopted by the Federal Highway Administrator as the national standard for all highways open to public travel. Sign fabricators are advised that traffic manuals are available at the FHWA Office of Transportation Operations website at <http://mutcd.fhwa.dot.gov> or from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

1.2 References to the New Hampshire Department of Transportation “Standard Specifications for Road and Bridge Construction” publication, and to the standards of the American Society for Testing and Materials (ASTM) shall be deemed to be the latest issued standard, interim, or tentative specification unless specific dates of issue are indicated herein.

MATERIALS

2.1 GENERAL. Materials and Fabrication. Tourist oriented directional signs may be fabricated of either aluminum or plywood, as described below.

2.1.1 Aluminum base material shall be flat sheet conforming to ASTM B 209M (ASTM B 209), Alloy 6061-T6 or Alloy 5052-H38. Signs shall be a minimum of 2.5 mm (0.100 in) thickness.

2.1.2 Plywood base material shall be standard form (BB grade or better), minimum 1/2” thickness, exterior type with both faces of Medium Density Overlay (MDO) as described in Voluntary Product Standard “PS-1-95 Construction and Industrial Plywood”, National Institute of Standards & Technology, except that:

- a. Other plywood materials may be used when approved in advance; and
- b. Plywood shall not be allowed for overlay symbol panels.

2.1.3 Surfaces of all base material shall be prepared as recommended by the reflective sheeting manufacturer to ensure proper bonding of the base material and sheeting.

2.1.4 Application of sheeting. All reflective sheeting shall be applied in accordance with standard current practice as recommended by the sheeting

manufacturer. Any cuts, tears, abrasions, or failure of the reflective sheeting to bond to the base material appearing in the completed sign shall be cause for rejection. Patched or overlapped sheeting shall not be permitted.

2.1.5 Edges and backs. The edges of plywood signs shall be sealed by painting with a sealer. Edges of aluminum signs shall be reasonably smooth and free from burrs. The backs of either plywood or aluminum sign panels shall be untreated and no markings shall be allowed on the backs of the panels.

2.1.6 Finishing. When recommended by the sheeting manufacturer, edge sealant and a full, glossy coat of finishing clear shall be applied in the manner specified by the manufacturer.

## 2.2 SIGN FACE.

2.2.1 Background and Copy. The sign shall have a “blue” reflective sheeting background over the entire sign face. All copy (text, numerals, border or trim, and symbol, if used) on the sign face shall be “white” reflective sheeting. The border shall be applied flush with the edges of the sign.

2.2.2 Reflective sheeting. The reflective sheeting shall be Type II sheeting with a retroreflective lens system, meeting the requirements of New Hampshire Department of Transportation Standard Specifications Section 718.

2.2.2.1 Color. The colors of blue and white shall comply with Section 718 of the Standard Specifications.

2.2.3 Information to appear on the sign face. At the option of the applicant, and with the approval of the Bureau of Traffic, up to three types of information may be included on the face of a tourist oriented directional sign panel:

- (a) Standard Service symbol.
- (b) Text (maximum of two lines allowed).
- (c) Direction and distance information.

2.2.4 Symbols. The use of symbols shall be limited to approved standard service symbols shown in Figure 5 or as otherwise allowed and shall not include any proprietary company logos.

2.2.5 Text Form. All letters shall be Highway Gothic – Series C font. All letters shall be upper case letters. Numerals shall be the same size as required for text. Fractions, if used, shall be treated as one unit and not as separate characters. The

fraction shall have a stroke and numeral size of ½ that required for regular text; and the diagonal shall be placed at an angle 60 degrees above the horizontal plane.

2.2.6 Direction and Distance Information. All direction and distance information shall be sized and placed as shown in Figures 1 through 4 inclusive.

2.3 PANEL DIMENSIONS. The dimensions of the sign panel shall be assigned by the Bureau of Traffic based upon field verification of the speed limit in effect on the highway at the approved sign location, using the following table:

**TABLE of PANEL DIMENSIONS**

<b>Sign Type</b>	<b>Posted Highway Speed (MPH)</b>	<b>Height of Letters in Inches</b>	<b>Panel Height in Inches</b>	<b>Panel Length in Even Feet</b>
1	50 - 55	6	20	8
2	35 - 45	5	16	7
3	Under 35	2 - 1/2	9	4
Closed	A panel used to cover a facilities panel during a time that the facility is not open to the public shall be the same size as the panel covered.			
Border	The reflective sheeting used for border or trim shall be 1 inch wide, except in the case of Type 3 signs when such border or trim shall be 1/2 inch wide.			

## 2.4 POSTS.

2.4.1 Steel “U” posts shall be rail steel conforming to the requirements of ASTM A 499, Grade 60 or ASTM A 576, Grade 1070-1080, minimum yield strength of 413.6 Mpa (60,000 psi). Posts shall be galvanized or painted with a medium green paint. The weight per meter (foot) shall be a minimum of 3.7 kg (2-1/2 lb) for installation of Type 2 or Type 3 business directional signs. the weight per meter (foot) shall be 4.5 kg (3 lb.) for installation of Type 1 signs. The posts shall have 9.5 mm (3/8 in) holes drilled or punched, before painting, along the center line of the web. The holes shall begin 25 mm (1 in) from the top of the post and continue at 25 mm (1 in) centers for the entire length of the post.

2.4.2 The lengths of the posts may vary to fit the final designated sign location and the number of panels present and the contractor is cautioned to take this contingency into account.

2.4.3 All configurations of sign type 3 (Figures 1 and 2) may be mounted on one post. All configurations of sign types 1 and 2 (Figures 1 and 2) shall be mounted on a minimum of 2 posts.

## 2.5 HARDWARE.

2.5.1 Steel bolts, hooks, studs, and hex nuts shall be ASTM A 320, Identification symbol B8, cold drawn (AISI type 304). Steel washers shall be AISI type 302.

## INSTALLATION REQUIREMENTS

3.1 Posts shall not be set until the final sign location has been designated by the Bureau of Traffic, and the site cleared by Dig Safe, Inc.

3.1.2 The edge of the sign nearest to the highway shall not be closer than:

1. Four feet to the outside edge of the shoulder where the sign is protected by guard rail; or
2. Six feet to the outside edge of the shoulder where the sign is not protected by guard rail.

3.2 Posts shall be set into the ground to a depth equal to one third of the total length of the posts up to a maximum of 4 feet. Posts may be lapped to obtain required height subject to approval of length and location of lap by the Bureau of Traffic.

3.3 Sign structures shall be erected so that the bottom of the lowest sign panel shall be at a minimum height of 7 feet above the grade of the edge of pavement, and will not pose a sight obstruction for adjacent or nearby streets and driveways unless otherwise directed by the Bureau of Traffic

3.4 Two-post installations shall be constructed so that each sign panel shall extend beyond each post an equal distance not less than 1/8 nor more than 1/4 of the panel length.

3.5 Single post installations of Type 3 signs shall be constructed so that the panel is centered on the post.

## CLOSED COVER PANEL

4.1 GENERAL Material and fabrication. Closed cover panels shall be fabricated as described below.

4.1.1 Aluminum base material shall be flat sheet conforming to ASTM B 209M (ASTM B 209), Alloy 6061-T6 or Alloy 5052-H38. Panels shall be a minimum of 0.08 inches (2.0 mm) in thickness and free of burrs.

4.1.2 The panel shall have a “blue” reflective sheeting over the entire panel face and flush to the edges.

4.1.2.1 The reflective sheeting shall be Type II sheeting with a retroreflective lens system, meeting the requirements of New Hampshire Department of Transportation Standard Specifications Section 718.

4.1.3 The surface of the panel shall be prepared as recommended by the reflective sheeting manufacturer to ensure proper bonding of the sheeting.

**FIGURE 1. -- Dimensions and Arrangement of Information  
Tourist Oriented Directional Sign Panels**

(a) Symbol (b) Text (c) Direction / Distance

8' total length horizontally				
20" vert.	(a) 15"	(b) 69" inside dimension borders & edges are 1" typical	(c) 8"	<b>Type 1A</b> with Symbol Block
20" vert.	(b) 85" inside dimension borders & edges are 1" typical			(c) 8" <b>Type 1B</b> with Symbol Block
20" vert.	(a) 15"	(b) 78" inside dimension borders & edges are 1" typical	<b>Type 1C</b> with Symbol Block	
20" vert.	(b) 94" inside dimension borders & edges are 1" typical			<b>Type 1D</b> without Symbol Block
7' total length horizontally				
16" vert.	(a) 14"	(b) 59" inside dimension borders & edges are 1" typical	(c) 7"	<b>Type 2A</b> with Symbol
16" vert.	(b) 74" inside dimension borders & edges are 1" typical			(c) 7" <b>Type 2B</b> without Symbol

16" vert.	(a) 14"	(b) 67" inside dimension borders & edges are 1" typical	<b>Type 2C</b> with Symbol
16" vert.	(b) 82" inside dimension borders & edges are 1" typical		<b>Type 2D</b> without Symbol
4' total length horizontally			
9" vert.	(a) 7"	(b) 35" inside dimension borders & edges are 1/2" typ.	(c) 4" <b>Type 3A</b> with Symbol
9" vert.	(b) 42 1/2" inside dimension borders & edges are 1/2" typ.		(c) 4" <b>Type 3B</b> without Symbol
9" vert.	(a) 7"	(b) 39 1/2" inside dimension borders & edges are 1/2" typ.	<b>Type 3C</b> with Symbol
9" vert.	(b) 47" inside dimension borders & edges are 1/2" typ.		<b>Type 3D</b> without Symbol

NOTES:

1. Note that the arrangements presented above are for use in advance of an upcoming right turn movement. In an arrangement for an upcoming left turn, or straight-ahead traffic movement, blocks (a) and (c) are to be reversed.
2. Where text consists of a single line of copy, it is to be centered vertically.
3. The possible sign configurations shown in Figure 1 are summarized in the following table:

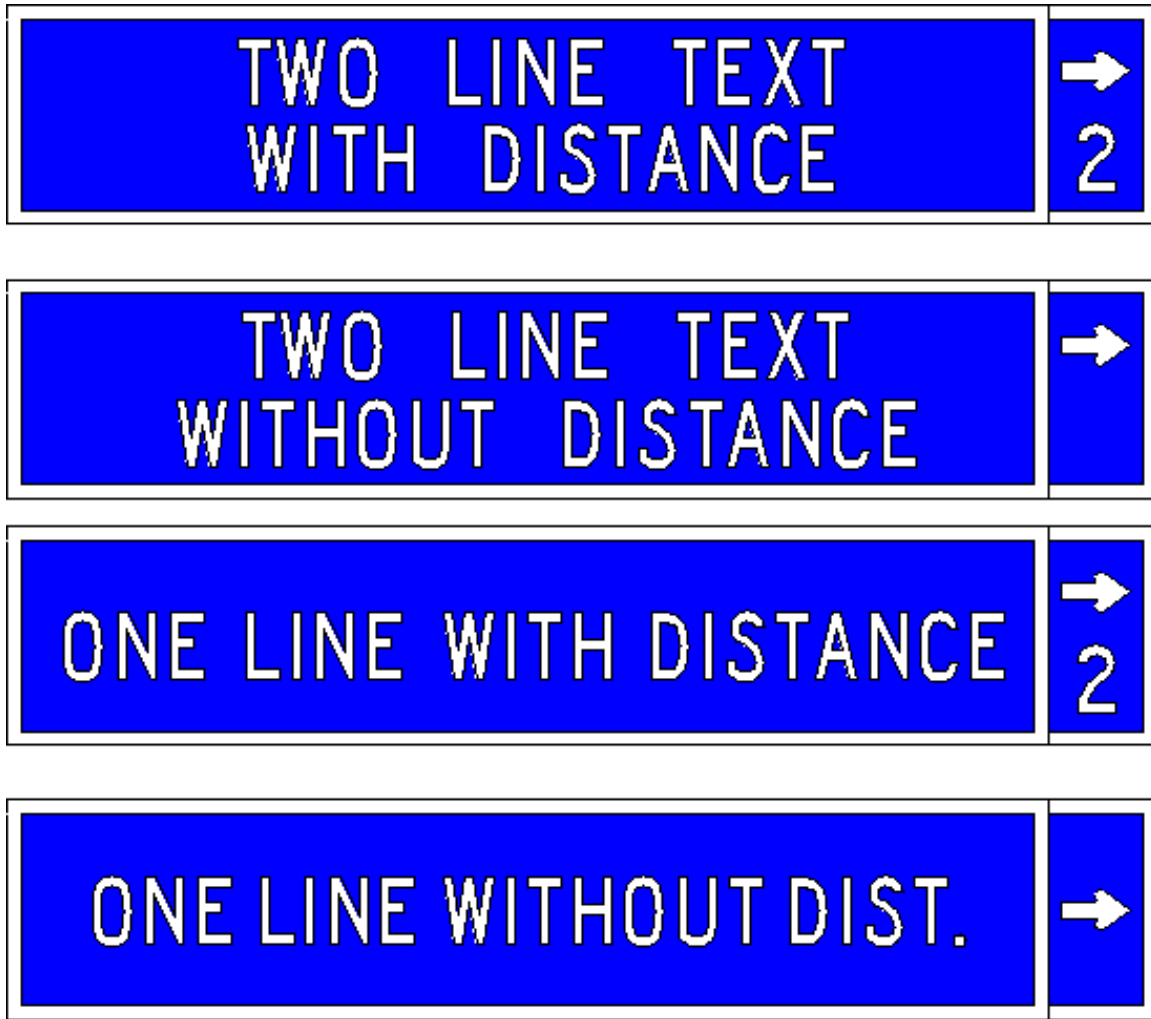
Type	Symbol Element & Size	Text Element & Size	Directional Element & Size
1A	Yes, 15 inches	Yes, 71 inches	Yes, 8 inches
1B	None	Yes, 86 inches	Yes, 8 inches
1C	Yes, 15 inches	Yes, 79 inches	None
1D	None	Yes, 94 inches	None
2A	Yes, 14 inches	Yes, 61 inches	Yes, 7 inches
2B	None	Yes, 75 inches	Yes, 7 inches
2C	Yes, 14 inches	Yes, 68 inches	None
2D	None	Yes, 82 inches	None
3A	Yes, 7 inches	Yes, 36 inches	Yes, 4 inches

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3B	None	Yes, 43 inches	Yes, 4 inches
3C	Yes, 7 inches	Yes, 40 inches	None
3D	None	Yes, 47 inches	None



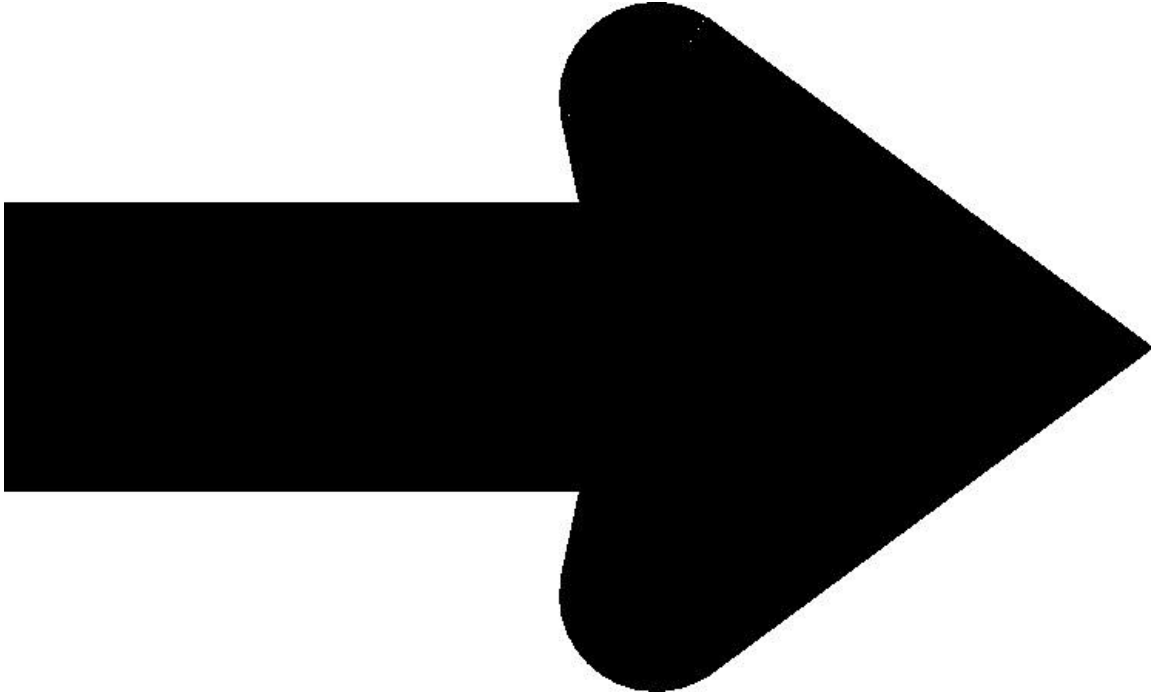
**FIGURE 2 -- Arrangement of text and placement of directional arrow, with and without distance**



NOT TO SCALE

**FIGURE 3 -- Directional Arrows (Full Scale)**  
Cut along outside of line

**Type 1** - 6" over all length



**Type 2** - 5" over all length

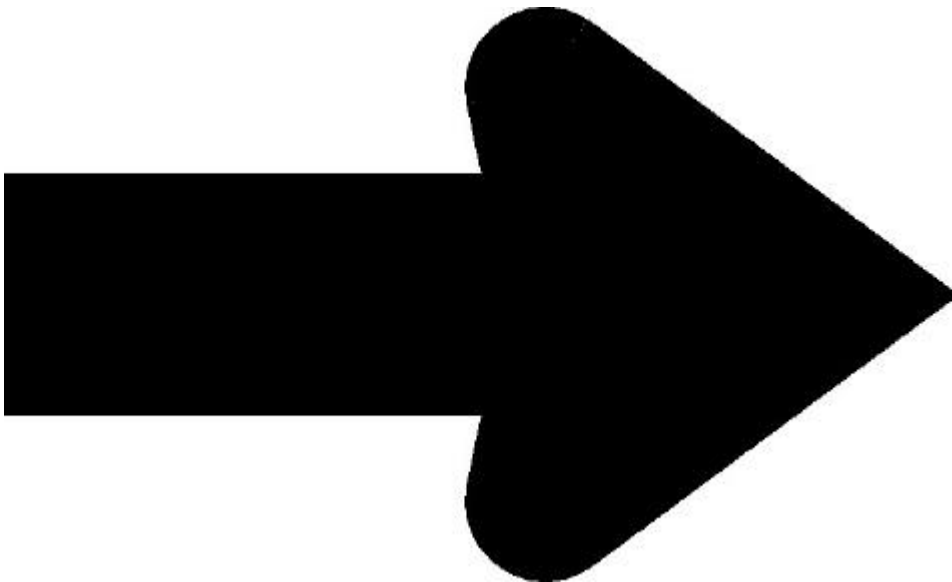
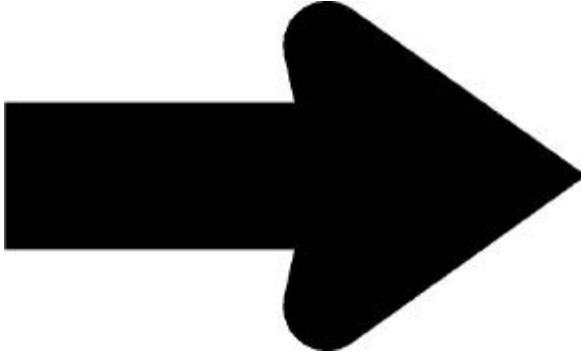


FIGURE 3 continues on next page

**FIGURE 3 - - Continued**

**Type 3** - 3" over all length



Notes:

1. See spaces designated "C" in  
FIGURE 1
2. See Note 2 in FIGURE 4

**Figure 4.**  
**APPROVED SERVICE SYMBOLS**



**CAUTION:** A proper source should be used for templates of these symbols. Enlargements made from this page could cause unacceptable distortions.

**FIGURE 4 - - Continued**

**NOTES:**

1. The size of the symbol character shall be proportional to FIGURE 5 for the largest square that can be entered within the symbol area provided by the type of sign being used. (See spaces designated “a” for each sign type in FIGURES 1 and 2).
2. The size of the directional arrows shall be as represented in FIGURE 4. Directional arrows shall be centered horizontally and vertically as shown in FIGURE 3.
3. For the sign types shown in FIGURE 1, directional arrows shall be placed in the space designated “c” and as shown in FIGURE 3. For the sign type 4, FIGURE 2, straight ahead and left-turn arrows shall be placed at the right side of space “c”.

**LEGEND**

- |                      |                           |                          |
|----------------------|---------------------------|--------------------------|
| 1. Restaurant        | 7. Swimming               | 13. Youth Hostel         |
| 2. Lodging           | 8. Winter Sports          | 14. Skiing – Down Hill   |
| 3. Automotive Fuel   | 9. Skiing – Cross Country | 15. Nursery - Greenhouse |
| 4. Automotive Diesel | 10. Marina                | 16. Farm stand           |
| 5. Camping - Tent    | 11. Stables               | 17. Apple Orchard        |
| 6. Camping Trailer   | 12. Golf                  | 18. Hiking Trails        |
|                      |                           | 19. Vineyard             |

**FIGURE 5 - - Steel Sign Posts**

**LENGTH:**

P-11 = 11’-0”      P-12 = 12’-0”

P-14 = 14’-0”      P-16 = 16’-0”

**WEIGHT PER LINEAR FOOT:**

2.5 lbs. minimum, used for type 2 or type 3 signs

3.0 lbs. minimum, used for type 1 signs

**HOLES:**

3/8” DIA., spaced 1” on center, from 1” of either end, for the full length.

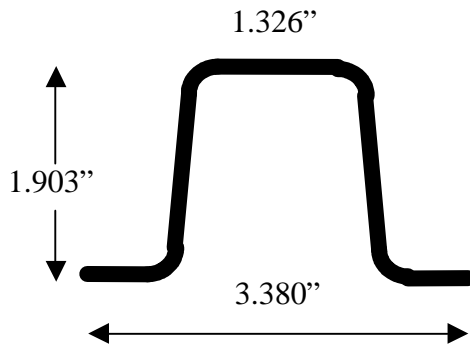
**STEEL:**

Shall conform to ASTM A-499 (Grade 60) or ASTM A-576 (Grade 1070-1080).

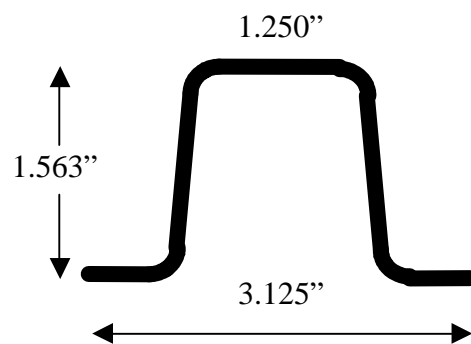
FINISH:

Shall be galvanized in accordance with AASHTO M-111, or shall be painted with two coats of an approved weather resistant medium green paint, either baked on or air dried.

Type 1 – 3.00 lb Post



Type 2 or Type 3 – 2.50 lb Post



Dimensions shown are nominal  
Alternative material selections must be approved prior to use.

